

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 2058, Pages 2-6, Section 67.1421, Lines
2 1-142, by deleting all of said section and lines and inserting in lieu thereof the following:

3
4 ~~"[67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing~~
5 ~~body of the municipality in which the proposed district is located shall hold a public hearing in~~
6 ~~accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.~~

7 ~~2. A petition is proper if, based on the tax records of the county clerk, or the collector of~~
8 ~~revenue if the district is located in a city not within a county, as of the time of filing the petition with~~
9 ~~the municipal clerk, it meets the following requirements:~~

10 ~~1. It has been signed by property owners collectively owning more than fifty percent by~~
11 ~~assessed value of the real property within the boundaries of the proposed district;~~

12 ~~2. It has been signed by more than fifty percent per capita of all owners of real property~~
13 ~~within the boundaries of the proposed district; and~~

14 ~~3. It contains the following information:~~

15 ~~(a) The legal description of the proposed district, including a map illustrating the district~~
16 ~~boundaries;~~

17 ~~(b) The name of the proposed district;~~

18 ~~(c) A notice that the signatures of the signers may not be withdrawn later than seven days~~
19 ~~after the petition is filed with the municipal clerk;~~

20 ~~(d) A five-year plan stating a description of the purposes of the proposed district, the~~
21 ~~services it will provide, each improvement it will make from the list of allowable improvements~~
22 ~~under section 67.1461, an estimate of the costs of these services and improvements to be incurred,~~
23 ~~the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to~~
24 ~~pay the costs;~~

25 ~~(e) A statement as to whether the district will be a political subdivision or a not-for-profit~~
26 ~~corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;~~

27 ~~(f) If the district is to be a political subdivision, a statement as to whether the district will be~~
28 ~~governed by a board elected by the district or whether the board will be appointed by the~~
29 ~~municipality, and, if the board is to be elected by the district, the names and terms of the initial~~
30 ~~board may be stated;~~

31 ~~(g) If the district is to be a political subdivision, the number of directors to serve on the~~
32 ~~board;~~

33 ~~(h) The total assessed value of all real property within the proposed district;~~

34 ~~(i) A statement as to whether the petitioners are seeking a determination that the proposed~~
35 ~~district, or any legally described portion thereof, is a blighted area;~~

36 ~~(j) The proposed length of time for the existence of the district, which in the case of districts~~

Action Taken _____ Date _____

established after August 28, 2021, shall not exceed twenty-seven years from the adoption of the ordinance establishing the district unless the municipality extends the length of time under section 67.1481;

— (k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

— (l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

— (m) The limitations, if any, on the borrowing capacity of the district;

— (n) The limitations, if any, on the revenue generation of the district;

— (o) Other limitations, if any, on the powers of the district;

— (p) A request that the district be established; and

— (q) Any other items the petitioners deem appropriate;

— (4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

— Name of owner: _____

— Owner's telephone number and mailing address: _____

— If signer is different from owner:

— Name of signer: _____

— State basis of legal authority to sign: _____

— Signer's telephone number and mailing address: _____

— If the owner is an individual, state if owner is single or married: _____

— If owner is not an individual, state what type of entity: _____

— Map and parcel number and assessed value of each tract of real property within the proposed district owned: _____

— By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above

Signature of person _____ Date _____

signing for owner

STATE OF MISSOURI _____)

) ss.

COUNTY OF _____)

— Before me personally appeared _____, to me personally known to be the individual described in and who executed the foregoing instrument.

— WITNESS my hand and official seal this _____ day of _____ (month), _____ (year).

Notary Public

— My Commission Expires: _____; and

— (5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

— 3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition

substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district. Such notice shall also be sent to the Missouri department of revenue, which shall publish such notice on its website;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development and the state auditor.

7. (1) The governing body of the municipality or county establishing a district or the governing body of such district shall, as soon as is practicable, submit the following information to the state auditor and the department of revenue:

(a) A description of the boundaries of such district as well as the rate of property tax or sales tax levied in such district;

(b) Any amendments made to the boundaries of a district or the tax rates levied in such district; and

(c) The date on which the district is to expire unless sooner terminated.

(2) The governing body of a community improvement district established on or after August 28, 2022, shall not order any assessment to be made on any real property located within a district and shall not levy any property or sales tax until the information required by paragraph (a) of subdivision (1) of this subsection has been submitted.]

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in

1 accordance with section 67.1431 and may adopt an ordinance to establish the proposed district,
 2 provided that if the proposed funding mechanism for the proposed district includes a sales tax, such
 3 ordinance shall be adopted by at least a two-thirds majority vote.

4 2. A petition is proper if, based on the tax records of the county clerk, or the collector of
 5 revenue if the district is located in a city not within a county, as of the time of filing the petition with
 6 the municipal clerk, it meets the following requirements:

7 (1) It has been signed by property owners collectively owning more than fifty percent by
 8 assessed value of the real property within the boundaries of the proposed district;

9 (2) It has been signed by more than fifty percent per capita of all owners of real property
 10 within the boundaries of the proposed district; and

11 (3) It contains the following information:

12 (a) The legal description of the proposed district, including a map illustrating the district
 13 boundaries;

14 (b) The name of the proposed district;

15 (c) A notice that the signatures of the signers may not be withdrawn later than seven days
 16 after the petition is filed with the municipal clerk;

17 (d) A five-year plan stating a description of the purposes of the proposed district, the
 18 services it will provide, each improvement it will make from the list of allowable improvements
 19 under section 67.1461, an estimate of the costs of these services and improvements to be incurred,
 20 the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to
 21 pay the costs;

22 (e) A statement as to whether the district will be a political subdivision or a not-for-profit
 23 corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

24 (f) If the district is to be a political subdivision, a statement as to whether the district will be
 25 governed by a board elected by the district or whether the board will be appointed by the
 26 municipality, and, if the board is to be elected by the district, the names and terms of the initial
 27 board may be stated;

28 (g) If the district is to be a political subdivision, the number of directors to serve on the
 29 board;

30 (h) The total assessed value of all real property within the proposed district;

31 (i) A statement as to whether the petitioners are seeking a determination that the proposed
 32 district, or any legally described portion thereof, is a blighted area;

33 (j) The proposed length of time for the existence of the district, which in the case of districts
 34 established after August 28, 2021, shall not exceed twenty-seven years from the adoption of the
 35 ordinance establishing the district unless the municipality extends the length of time under section
 36 67.1481;

37 (k) The maximum rates of real property taxes, and, business license taxes in the county seat
 38 of a county of the first classification without a charter form of government containing a population
 39 of at least two hundred thousand, that may be submitted to the qualified voters for approval;

40 (l) The maximum rates of special assessments and respective methods of assessment that
 41 may be proposed by petition;

42 (m) The limitations, if any, on the borrowing capacity of the district;

43 (n) The limitations, if any, on the revenue generation of the district;

44 (o) Other limitations, if any, on the powers of the district;

45 (p) A request that the district be established; and

46 (q) Any other items the petitioners deem appropriate;

47 (4) The signature block for each real property owner signing the petition shall be in
 48 substantially the following form and contain the following information:

49

1 Name of owner: _____
 2 Owner's telephone number and mailing address: _____
 3 If signer is different from owner:
 4 Name of signer: _____
 5 State basis of legal authority to sign: _____
 6 Signer's telephone number and mailing address: _____
 7 If the owner is an individual, state if owner is single or married: _____
 8 If owner is not an individual, state what type of entity: _____
 9 Map and parcel number and assessed value of each tract of real property within the proposed
 10 district owned: _____

11 By executing this petition, the undersigned represents and warrants that he or she is
 12 authorized to execute this petition on behalf of the property owner named immediately above

13 _____
 14 Signature of person Date _____
 15 signing for owner
 16 STATE OF MISSOURI)
 17) ss.
 18 COUNTY OF _____)

19 Before me personally appeared _____, to me personally known to be the individual
 20 described in and who executed the foregoing instrument.

21 WITNESS my hand and official seal this _____ day of _____ (month), _____ (year).
 22

23 _____
 24 Notary Public
 25 My Commission Expires: _____ ; and

26 (5) Alternatively, the governing body of any home rule city with more than four hundred
 27 thousand inhabitants and located in more than one county may file a petition to initiate the process
 28 to establish a district in the portion of the city located in any county of the first classification with
 29 more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing
 30 the information required in subdivision (3) of this subsection; provided that the only funding
 31 methods for the services and improvements will be a real property tax.

32 3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to
 33 exceed ninety days after receipt of the petition, review and determine whether the petition
 34 substantially complies with the requirements of subsection 2 of this section. In the event the
 35 municipal clerk receives a petition which does not meet the requirements of subsection 2 of this
 36 section, the municipal clerk shall, within a reasonable time, return the petition to the submitting
 37 party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall
 38 specify which requirements have not been met.

39 4. After the close of the public hearing required pursuant to subsection 1 of this section, the
 40 governing body of the municipality may adopt an ordinance approving the petition and establishing
 41 a district as set forth in the petition and may determine, if requested in the petition, whether the
 42 district, or any legally described portion thereof, constitutes a blighted area. If the petition was filed
 43 by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section,
 44 after the close of the public hearing required pursuant to subsection 1 of this section, the petition
 45 may be approved by the governing body and an election shall be called pursuant to section
 46 67.1422. Any ordinance or petition approved under this subsection that establishes a district for
 47 which the proposed funding mechanism for the proposed district includes a sales tax shall be by at
 48 least a two-thirds majority vote.

49 5. Amendments to a petition may be made which do not change the proposed boundaries of

1 the proposed district if an amended petition meeting the requirements of subsection 2 of this section
2 is filed with the municipal clerk at the following times and the following requirements have been
3 met:

4 (1) At any time prior to the close of the public hearing required pursuant to subsection 1 of
5 this section; provided that, notice of the contents of the amended petition is given at the public
6 hearing;

7 (2) At any time after the public hearing and prior to the adoption of an ordinance
8 establishing the proposed district; provided that, notice of the amendments to the petition is given by
9 publishing the notice in a newspaper of general circulation within the municipality and by sending
10 the notice via registered certified United States mail with a return receipt attached to the address of
11 record of each owner of record of real property within the boundaries of the proposed district per the
12 tax records of the county clerk, or the collector of revenue if the district is located in a city not
13 within a county. Such notice shall be published and mailed not less than ten days prior to the
14 adoption of the ordinance establishing the district;

15 (3) At any time after the adoption of any ordinance establishing the district a public hearing
16 on the amended petition is held and notice of the public hearing is given in the manner provided in
17 section 67.1431 and the governing body of the municipality in which the district is located adopts an
18 ordinance approving the amended petition after the public hearing is held.

19 6. Upon the creation of a district, the municipal clerk shall report in writing the creation of
20 such district to the Missouri department of economic development and the state auditor."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.